

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS.

DEL RIO DIVISION

FILED

MAY 10 2024

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY MA DEPUTY

United States of America,
Plaintiff,

FCI Three Rivers
Place of Confinement

v.

71625-509
Federal Register Number

Miguel Emmanuel Reyes,
Defendant.

21-CL-01656 (2)
Criminal Case Number

Defendant's Motion for Reduction of Sentence pursuant to 18 U.S.C. § 3582(c)(2)
and Amendment 821 to the Federal Sentencing Guidelines:

____ Based on U.S.S.G. § 4C1.1 Adjustment for Zero-Point
Offenders (for those assessed zero criminal history points at
sentencing)

✓____ Based on U.S.S.G. § 4A1.1(d) & (e) Criminal History Category
(for those who received "status" points for being under a
criminal justice sentence at the time of the offense)

Instructions - Read Carefully

1. The court has received your request regarding a sentence reduction under Amendment 821 to the Sentencing Guidelines (effective November 1, 2023). You must complete this form motion and return it to the appropriate divisional office listed in instruction 3, below, to enable the court to consider your request. This form should only be used when requesting a sentence reduction pursuant to Amendment 821 to the Sentencing Guidelines and for no other purpose. Amendment 821 provides for reduction in offense level for certain offenders with zero criminal history points (U.S.S.G. § 4C1.1) and reduces or eliminates status points for certain offenders who previously received status points pursuant to U.S.S.G. § 4A1.1(d). Amendment 825 authorizes retroactive reductions effective February 1, 2024 or later. A copy of your original request is included with this form for your reference.
2. This motion must be legibly handwritten or typewritten. All questions must be briefly answered in the proper space on the form.

✓Am

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS.**

DEL RIO DIVISION

4. Questionnaires that do not follow these instructions will be returned, and the mistake will be identified.

Questionnaire

1. Name and location of court that entered the sentence that you are asking to reduce:

U.S. District Court for the Western District of Texas Del Rio Division

2. Date(s) of sentence and judgment of conviction:

July 06 2023 (sentence)

3. Are you currently in prison for this sentence?

☒ Yes ☐ No

4. If so, when is your projected date of release? 7-16-2040

5. Are you currently on supervised release? ☐ Yes ☒ No

6. Are you currently in prison because you violated your supervised release for the conviction and sentence identified in response to Questions No. 1 and 2?

☐ Yes ☒ No

7. Is your case currently on appeal? _____ Yes ☒ No

8. Offense(s) for which you were convicted (all counts):

21 U.S.C. § 963

18 U.S.C. § 922(g)(1)

9. In calculating the applicable sentencing guideline range, were you assessed any criminal history points (U.S.S.G. § 4A1.1)?

☒ Yes _____ No _____ Not Sure

9a. If the answer to Question 9 is "No," check the box for all statements that apply to your conviction and sentence:

☐ I received criminal history points from Chapter Four, Part A;

☐ I received an adjustment under § 3A1.4 (Terrorism);

☐ I used violence or credible threats of violence in connection with the offense;

☐ the offense resulted in death or serious bodily injury;

☐ the instant offense of conviction is a sex offense;

☐ I personally caused substantial financial hardship;

☐ I possessed, received, purchased, transported, transferred, sold, or otherwise disposed of a firearm or other dangerous weapon (or induced another participant to do so) in connection with the offense;

☐ the instant offense of conviction is covered by § 2H1.1 (Offenses Involving Individual Rights);

☐ I received an adjustment under § 3A1.1 (Hate Crime Motivation or Vulnerable Victim) or § 3A1.5 (Serious Human Rights Offense);

☐ I received an adjustment under § 3B1.1 (Aggravating Role) or was engaged in a continuing criminal enterprise, as defined in 21 U.S.C. § 848; or

☐ none of the statements above applies to my case.

10. If the answer to Question 9 is "Yes," were you assessed criminal history points for being "under any criminal justice sentence, including probation, parole, supervised release, imprisonment, work release, or escape status" at the time of the offense (a.k.a. "status points") (U.S.S.G. § 4A1.1(d))?

☒ Yes ☐ No ☐ Not Sure

11. If the answer to Question 10 is "Yes," how many criminal history points were assessed in total, including the "status points"?

10 Criminal History Points

12. If you were sentenced on or after April 5, 2023, did the Court provide the benefit of the "status points" or "zero-point offenders" amended guidelines at your sentencing hearing prior to the effective date?

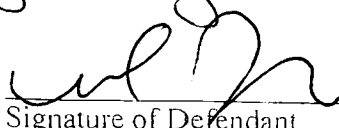
☐ Yes ☒ No ☐ Not Sure

13. List any good conduct that occurred after your original sentencing hearing or any other mitigating circumstances that you would like the Court to be aware of in deciding whether you should receive a sentence reduction (for example, participating in a drug treatment program, or completing your GED or another degree).

Drug Education Program

For the reasons stated in this motion, I move the court for a reduction in sentence under 18 U.S.C. § 3582(c)(2) and Amendment 821 to the Federal Sentencing Guidelines. I declare under penalty of perjury that the facts stated in this motion are true and correct.

Respectfully submitted this 7th day of May, 2024.


Signature of Defendant

Miguel Emmanuel Reyes
Printed Name

71625-509
BOP No.

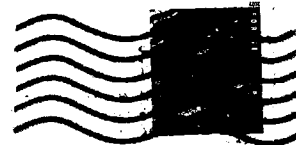
FCI Three Rivers
Federal Correctional Institution (if applicable)

P.O. Box 4200
Address

Three Rivers TX
City, State & Zip Code

Miguel Reyes #71625509
JWB 248
FEDERAL CORRECTIONAL INSTITUTION
THREE RIVERS
P.O. Box 4200
THREE RIVERS, TX 78071

SAN ANTONIO TX 780
RIO GRANDE DISTRICT
7 MAY 2024 PM 3:11



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MAY 09 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY XXX PUT VOLKERS

U.S. DISTRICT CLERK
111 E BROADWAY ST.
DEL RIO, TX 78840

78840-557320

